

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) KENT STOKES 199023
(Name of Plaintiff) (Inmate Number)

PO. BOX 9561, WILMINGTON, DE 19809
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

vs.

(1) TIMOTHY J. WELLER

(2) LAWRENCE M. SULLIVAN

(3) _____
(Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

N/A

07 - 101

(Case Number)
(to be assigned by U.S. District Court)

CIVIL COMPLAINT

• • Jury Trial Requested

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CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
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II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? • ☒ Yes • • No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? • ☒ Yes • ☒ No
- C. If your answer to "B" is Yes: I HAVE WROTE THE DISCIPLINARY COUNSEL NUMEROUS
 1. What steps did you take? FOLLOWED INSTITUTIONAL PROCEDURE
LETTERS REGARDING TIMOTHY WELER TO HIS SUPERVISOR, LAWRENCE M.
BY FORWARDING A GRIEVANCE FORM
SULLIVAN.
 2. What was the result? NO RESPONSE WAS RENDERED.
NO ACTION TAKEN

- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: TIMOTHY J. WELER

Employed as ASST. PUBLIC DEFENDER at OFFICE OF PUBLIC DEFENDER

Mailing address with zip code: ELBERT N. CARVEL STATE BUILDING

820 NORTH FRENCH STREET - 3RD FL. P.O. BOX 8911, WILM, DE 19801

- (2) Name of second defendant: LAWRENCE M. SULLIVAN

Employed as PUBLIC DEFENDER at OFFICE OF PUBLIC DEFENDER

Mailing address with zip code: ELBERT N. CARVEL STATE BUILDING

820 NORTH FRENCH STREET - 3RD FL. P.O. BOX 8911, WILM, DE 19801

- (3) Name of third defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. PUBLIC DEFENDER, DOES NOT COMMUNICATE AT ALL WITH
PLAINTIFF, AND ONLY SEES HIM AT COURT, WHILE FAILING
TO INFORM HIM ON STATUS, OR SUBJECT MATTER OF
CASE.
2. SINCE PLAINTIFF'S INCARCERATION 23 SEPTEMBER 2006
THROUGHOUT DURATION, UNTIL COURT DATE, PLAINTIFF
ONLY SEEN PUBLIC DEFENDER, ON DAY OF COURT.
3. PUBLIC DEFENDER HAS FAILED TO RESPOND TO ANY
AND ALL COMMUNICATION EFFORTS BY PLAINTIFF, BY
CALLING PUBLIC DEFENDERS OFFICE, LEAVING VOICE MAIL
MESSAGES, OR LETTERS.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I WANT TO MAINTAIN A STEADY LINE OF COMMUNICATION
REGARDING ALL CASE MATTER, WITH PUBLIC DEFENDER,
AND FOR PUBLIC DEFENDER TO RESPOND TO CORRESPONDENTS
FROM PLAINTIFF.

2. I WANT MY MATTERS HANDLED WITH THE CARE TO
PROFESSIONAL ETHICS, AND ATTITUDE OF CONDUCT
TO BE HONORED, BY THE DATA RENDERED BY THE
BAR ASSOCIATION, OF SERVICES PROVIDED, FOR CLIENTS.

3. FOR HIM TO RECEIVE A WRITTEN REPRIMAND, AND
SUSPENSION OF PRACTICE

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of February, 2007.

Kent L Stokes
(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

